

108TH CONGRESS
2D SESSION

H. R. 4324

To amend title 5, United States Code, to eliminate the provisions limiting certain election opportunities available to individuals participating in the Thrift Savings Plan, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2004

Mr. TOM DAVIS of Virginia (for himself, Mrs. JO ANN DAVIS of Virginia, and Mr. MURPHY) introduced the following bill; which was referred to the Committee on Government Reform

A BILL

To amend title 5, United States Code, to eliminate the provisions limiting certain election opportunities available to individuals participating in the Thrift Savings Plan, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CONTRIBUTIONS TO THE THRIFT SAVINGS**
4 **FUND.**

5 (a) ELIMINATION OF PROVISIONS LIMITING ELEC-
6 TION OPPORTUNITIES.—Section 8432(b) of title 5, United
7 States Code, is amended—

8 (1) by striking paragraphs (2), (3), and (4);

1 (2) by redesignating paragraph (1)(A) as para-
 2 graph (1) and paragraph (1)(B) as paragraph (2);
 3 (3) in paragraph (1) (as so redesignated), by
 4 striking “shall be afforded a reasonable period every
 5 6 months” and inserting “shall, in any pay period,
 6 be allowed”; and

7 (4) in paragraph (2) (as so redesignated), by
 8 striking “subparagraph (A) (or any election allow-
 9 able by virtue of paragraph (4))” and inserting
 10 “paragraph (1)”.

11 (b) SIMPLIFICATION OF PROVISIONS RELATING TO
 12 AGENCY AUTOMATIC 1 PERCENT CONTRIBUTIONS GEN-
 13 ERALLY.—Section 8432(c)(1) of title 5, United States
 14 Code, is amended—

15 (1) by striking “(c)(1)(A)” and inserting
 16 “(c)(1)”;

17 (2) by striking subparagraphs (B) and (C); and

18 (3) by striking “At the time” and all that fol-
 19 lows through “the employing agency” and inserting
 20 “At the time prescribed by the Executive Director in
 21 regulations, but no later than 12 days after the end
 22 of each pay period that applies with respect to an
 23 employee or Member, the employing agency”.

24 (c) SIMPLIFICATION OF PROVISIONS RELATING TO
 25 AGENCY MATCHING CONTRIBUTIONS GENERALLY.—Sec-

tion 8432(c)(2) of title 5, United States Code, is amended
by striking subparagraph (C).

(d) ELIMINATION OF OBSOLETE PROVISIONS RELAT-
ING TO CERTAIN MAKEUP 1 PERCENT CONTRIBU-
TIONS.—Section 8432 of title 5, United States Code, is
amended—

(1) by striking paragraph (3) of subsection (c);
and

(2) by striking the second sentence of sub-
section (d).

SEC. 2. TECHNICAL AND CONFORMING AMENDMENTS.

(a) PROVISIONS RELATING TO RETROACTIVE
USERRA MAKEUP CONTRIBUTIONS.—Section 8432(i) of
title 5, United States Code, is amended—

(1) in paragraph (1)(B), by striking all that fol-
lows “as referred to in” and inserting “section
8432b(b)(2)(B)), is eligible to make an election de-
scribed in subsection (b)(1).”; and

(2) in paragraph (2), by striking all that follows
“would be allowable” and inserting “under sub-
section (b).”.

(b) PROVISIONS RELATING TO TIMELY DISSEMINA-
TION OF INFORMATION.—Section 8439(c)(2) of title 5,
United States Code, is amended—

1 (1) in the first sentence, by striking “at least
 2 30 calendar days before the beginning of each elec-
 3 tion period under section 8432(b)(1)(A) of this title,
 4 and”; and

5 (2) by striking the second sentence.

6 (c) PROVISIONS RELATING TO CERTAIN GROUPS OF
 7 PARTICIPANTS.—

8 (1) CIVILIAN PERSONNEL.—Sections 8351,
 9 8440a, 8440b, 8440c, and 8440d of title 5, United
 10 States Code, are each amended in subsection (a)—

11 (A) by striking paragraph (2); and

12 (B) by striking “(a)(1)” and inserting
 13 “(a)”.

14 (2) MEMBERS OF THE UNIFORMED SERV-
 15 ICES.—Section 8440e of title 5, United States Code,
 16 is amended in subsection (b)—

17 (A) by striking paragraph (2); and

18 (B) by striking “(b)(1)” and inserting
 19 “(b)”.

20 **SEC. 3. EFFECTIVE DATE; SAVINGS PROVISIONS.**

21 (a) EFFECTIVE DATE.—This Act shall take effect as
 22 of such date as the Executive Director may by regulation
 23 prescribe, but in no event later than 1 year after the date
 24 of the enactment of this Act.

1 (b) SAVINGS PROVISIONS.—The Executive Director
2 shall prescribe regulations to ensure that provisions com-
3 parable to those repealed by subsections (b)(2), (c), and
4 (d) of section 1 remain in effect for as long as necessary
5 so that no person will be denied any benefit for which such
6 person would have been eligible had those provisions not
7 been so repealed.

8 (c) DEFINITION.—For purposes of this section, the
9 term “Executive Director” means the Executive Director
10 appointed by the Federal Retirement Thrift Investment
11 Board under section 8474 of title 5, United States Code.

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